

STATE OF DELAWARE
PUBLIC EMPLOYMENT RELATIONS BOARD

CAPITAL SCHOOL DISTRICT,	:	
	:	
Petitioner,	:	
	:	Review of P.E.R.B. Decision
v.	:	
	:	<u>Representation Pet. No. 90-10-055</u>
CAPITAL SUPPORT ASSOCIATION,	:	
DSEA/NEA,	:	
	:	
Respondent.	:	

After a careful review of the entire record, including consideration of 14 DeL.C. Chapter 40 in its entirety, the Public Employment Relations Board unanimously concludes there is no basis on which to support the appeal filed by the Capital School District in the above-captioned case.

Our agreement, most especially, is with that portion of the Executive Director's Order stating that to "require the PERB to reconsider all units, which include both supervisory and nonsupervisory employees, upon the request of either party solely on the basis of the amended statute would contravene the express intention of the legislature and constitute an improper usurpation of legislative authority". Capital School District v. Capital Support Association, Decision of the Executive Director, Rep. Pet. 90-10-055 (May 8, 1991, at p. 625).

The May 8, 1991 decision of the Executive Director is, accordingly, wholly affirmed.

IT IS SO ORDERED.

/s/Arthur A. Sloane
ARTHUR A. SLOANE, Chair

/s/R. Robert Currie, Jr.
R. ROBERT CURRIE, JR., Member

/s/Henry E. Kressman
HENRY E. KRESSMAN, Member

DATE: June 7, 1991